

Notice of Allowability

Application No.

09/619,672

Examiner

Marissa Thein

Applicant(s)

HOSHIZAWA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 14, 2005.
2. ☒ The allowed claim(s) is/are 1,6,8,10-15,17,20,21 and 23-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

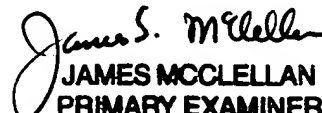
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9-2-05.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JAMES MCCLELLAN
PRIMARY EXAMINER
9/2/05

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Surinder Sachar on September 2, 2005.

The application has been amended as follows:

In the claims

Claims 10 and 14 are amended.

Claim 10, line 2 has been replaced to read as follows:

--wherein said communication circuit includes a wireless system.--

Claim 14, line 2 has been replaced to read as follows:

--further comprising a data receiving device disposed at the consumable item supply section.--

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 1

Claim 1 recites a consumable item system, comprising, *inter alia*: a counter configured to count a duration of a time period that said detector detects said signal, said duration of the time period being adjustably set at the image forming apparatus by a user input.

The most closely applicable prior art or record is referenced in the Office Action on December 29, 2004 as U.S. Patent No. 5,594,529 to Yamashita et al. Yamashita discloses an imaging device supervision system, which closely monitors the quantity of supplies electronically (col. 2, lines 6-10). A stock supervision device is electronically connected to the imaging device and is configured to electronically store stock data relating to the supply of consumable items (col. 2, lines 12-16). A stock estimating device is connected to the stock supervision device (col. 2, lines 19-20). The stock estimating device is configured to estimate a time interval in which the supply consumable items of the imaging device might become exhausted in response to communications with the stock supervision device (col. 2, lines 20-24). However, Yamashita neither anticipates or fairly and reasonably teaches a consumable item system, comprising, *inter alia*: a counter configured to count a duration of a time period that said detector detects said signal, said duration of the time period being adjustable set at the image forming apparatus by a user input.

Kikuchi (U.S. Patent No. 5,606,403) neither anticipates or fairly and reasonably teaches a consumable item system, comprising, *inter alia*: a counter configured to count a duration of a time period that said detector detects said signal, said duration of the time period being adjustable set at the image forming apparatus by a user input.

Kikuchi's disclosure teaches away from the counter configured to count a duration of a time period, which is adjusted by a user input at the image forming apparatus. This is because Kikuchi teaches a toner supply control system where the toner is conveyed from the outside into a toner hopper by driving a toner supply drive unit over a

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predetermined period of time without stopping the operation of the electrophotographic apparatus (col. 3, lines 13-16). When a toner empty sensor detects over a predetermined period of time that the remainder of toner in the toner hopper is small, and then an output signal is outputted from the sensor indicating that the remainder of toner is small is detected (col. 3, lines 16-21).

Bringhurst (U.S. Patent No. 5,685,653) neither anticipates or fairly and reasonably teaches a consumable item system, comprising, *inter alia*: a counter configured to count a duration of a time period that said detector detects said signal, said duration of the time period being adjustable set at the image forming apparatus by a user input. Bringhurst's disclosure teaches away from the counter configured to count a duration of a time period, which is adjusted by a user input at the image forming apparatus. This is because Bringhurst teaches a method and apparatus for extending the useful life of a printing ribbon by controlling the ratio of ink used to ink applied to the ribbon (abstract).

Claim 17

Claim 17 recites a method for keeping consumable items, comprising the steps of, *inter alia*: counting a duration of a time period that the generated signal is detected, said duration of the time period being adjustably set at the image forming apparatus by a user input. The method is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Claim 21

Claim 21 recites a consumable item system, comprising, *inter alia*: counting means for counting a duration of a time period that said detecting means detects said signal, said duration of the time period being adjustably set at the image forming apparatus by a user input. The system is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Claim 24

Claim 24 recites a consumable item system, comprising, *inter alia*: a counter configured to count a duration of a time period that said detector detects said signal, said duration of the time period being adjustably set at the image forming apparatus by a user input. The system is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Claim 25

Claim 25 recites a method for keeping consumable items, comprising the steps of, *inter alia*: counting a duration of a time period that the generated signal is detected, said duration of the time period being adjustably set at the image forming apparatus by a user input. The method is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Claim 26

Claim 26 recites a consumable item system, comprising, *inter alia*: counting means for counting a duration of a time period that said detecting means detects said signal, said duration of the time period being adjustably set at the image forming

apparatus by a user input. The system is allowable over the prior art of record for reasons consistent with those identified above with respect to claim 1.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

European Patent Application Publication No. 0 685 768 to Knodt et al. discloses an apparatus and a method for monitoring and managing printer/copier consumables and maintenance status items. Knodt's disclosure teaches away from the counter configured to count a duration of a time period, which is adjusted by a user input at the image forming apparatus.

The article "Supplies Affect Copier Operation" discloses problems with copiers, which stem from using toners and papers of inferior quality. The article's disclosure teaches away from the counter configured to count a duration of a time period, which is adjusted by a user input at the image forming apparatus.

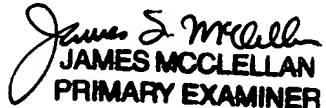
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mtot
September 2, 2005


JAMES MCCLELLAN
PRIMARY EXAMINER